



**ORDINANCE NUMBER 2894**

**AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AS HERETOFORE AMENDED; SO AS TO GRANT A SPECIFIC USE PERMIT-INTERIM USE FOR A PERIOD OF TWO (2) YEARS, EXPIRING FEBRUARY 1, 2008 TO ALLOW OUTDOOR STORAGE OF PIPE AND OTHER PLUMBING SUPPLIES ON AN APPROXIMATELY 1.6 ACRE TRACT OF LAND SPECIFICALLY DESCRIBED AS LOT 1, BLOCK 1 OF THE GREGORY ADDITION AND MORE COMMONLY KNOWN AS 1641 KEENAN BRIDGE ROAD WITHIN THE PLANNED DEVELOPMENT NO. SEVENTY-SEVEN (PD-77) ZONING DISTRICT; PROVIDING FOR CONDITIONS OF OPERATION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); PROVIDING FOR INJUNCTIVE RELIEF; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Farmers Branch deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to enact a new zoning ordinance; and

WHEREAS, the City Council has appointed a Planning and Zoning Commission to recommend the boundaries of the various original zoning districts and appropriate regulations be enforced therein and to recommend a new zoning ordinance to amend the Comprehensive Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health, general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration, among other things, the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the Planning and Zoning Commission of the City of Farmers Branch and the City of Farmers Branch City Council, in compliance with the Charter of the City of Farmers Branch, and the state law with reference to the granting of changes to the zoning classifications under the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof; and,

WHEREAS, the applicant in Zoning Case #06-SU-06 has agreed to be bound by the terms of their application for zoning and the provisions contained in the Comprehensive Zoning Ordinance concerning the granting of a Specific Use Permit-Interim Use; and

WHEREAS, the applicant has committed that the value of any improvements to be constructed or installed pursuant to this ordinance will be fully amortized prior to the expiration of the specific use permit-interim use; and

WHEREAS, the City of Farmers Branch City Council is of the opinion in order to protect the public health, welfare and safety, said change in zoning should be made.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS**

SECTION 1. That all matters stated in the preamble are found to be true and correct and are incorporated herein as if copied in their entirety.

SECTION 2. That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended, by amending the Zoning Map of the City of Farmers Branch so as to grant a Specific Use Permit-Interim Use, for a period of two (2) years, expiring on February 1, 2008, to allow outdoor storage of pipe and other plumbing supplies on an approximately 1.6 acre tract of land specifically described as Lot 1, Block 1 of the Gregory Addition (Volume 87232, Page 1369 P.R.D.C.T.) and more commonly known as 1641 Keenan Bridge Road and located within the Planned Development No. Seventy-Seven (PD-77) zoning district. (Exhibit "A".)



SECTION 3. That the above described property shall be used only in the manner and for the purpose provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch as herein amended by the granting of a Specific Use Permit-Interim Use and approval of an associated Site Plan for outdoor storage of pipe and other plumbing supplies in accordance with the approved Site Plan attached as Exhibit "B".

SECTION 4. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, and upon conviction shall be punished by a fine not to exceed the sum of two thousand (\$2,000.00) dollars for each offense.

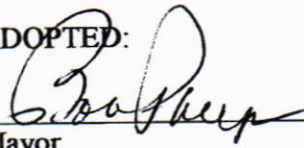
SECTION 5. If any section, paragraph, subdivision, clause, phrase, or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

SECTION 6. In addition to, and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

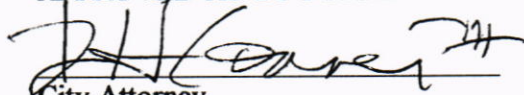
SECTION 7. This ordinance shall take effect immediately from and after its passage as the law in such case provides.

Duly passed by the City Council of the City of Farmers Branch, Texas, on this the 8<sup>th</sup> day of January, 2007.

ADOPTED:

  
\_\_\_\_\_  
Mayor  
Bob Phelps

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

(Reviewed by Atty. J. Boyle 11/21/06)

ATTEST:

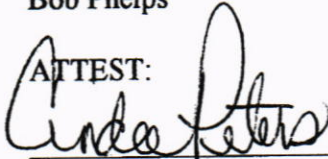
  
\_\_\_\_\_  
City Secretary  
Cindee Peters



Exhibit "A" (Location Map)

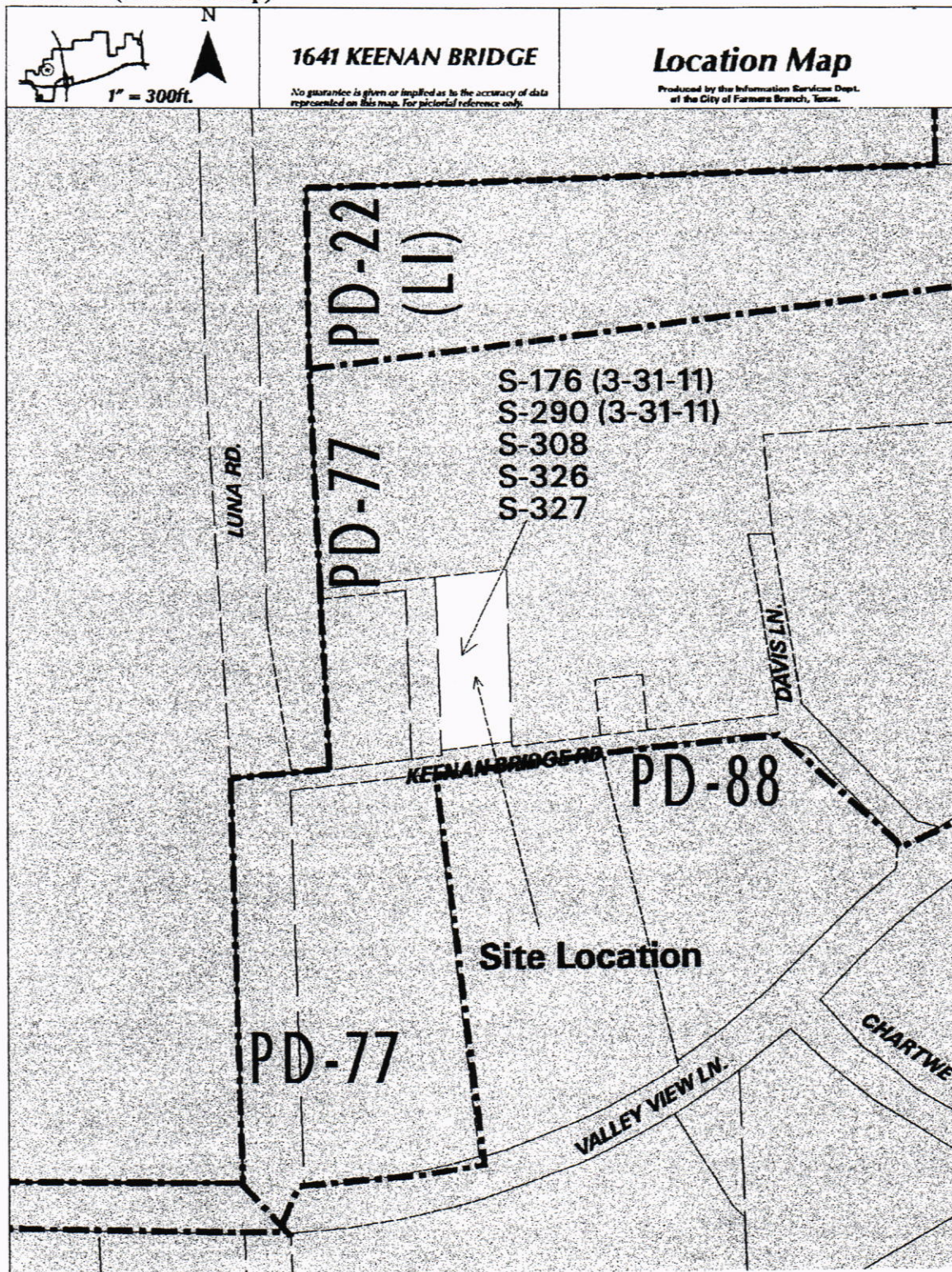
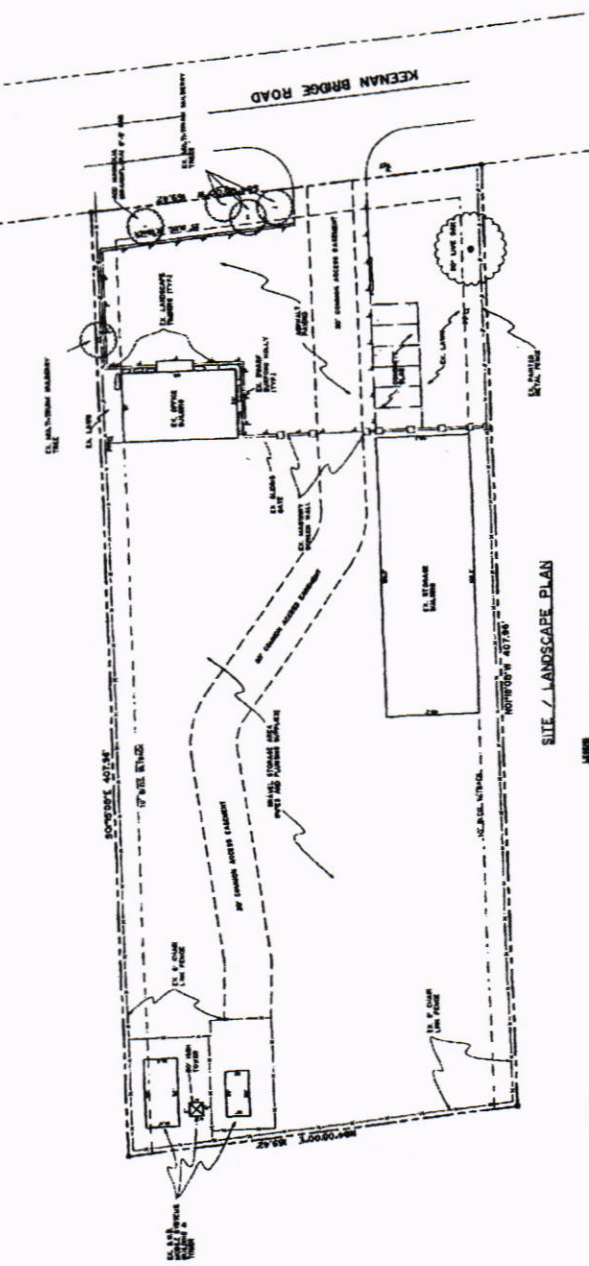




Exhibit "A" (Site Plan)

OCT - 9 2006



SITE / LANDSCAPE PLAN

- EXIST. ROAD IMPROVEMENT
- EXIST. UTILITY PIPE
- EXIST. FENCE LINE
- EXIST. CHIMNEY CORNER
- EXIST. UTILITY POLE

ALL DATA  
ON THIS PLAN  
WAS OBTAINED  
FROM THE  
RECORDS OF THE  
CITY OF FARMERS BRANCH, TEXAS  
DATE: OCTOBER 9, 2006  
BY: [Signature]  
TITLE: SITE / LANDSCAPE PLAN  
PROJECT: [Project Name]



VICINITY MAP



SITE PLAN  
OF  
LOT 1, BLOCK 1  
GREGORY ADDITION  
VOLUME 128, PAGE 1389  
CITY OF FARMERS BRANCH, TEXAS